

## ***FISH & WILDLIFE COMMISSION AGENDA ITEM COVER SHEET***

**Meeting Date:** March 12, 2015

**Agenda Item:** Seasonal closure of White Bear Fishing Access Site

**Division:** Fisheries

**Action Needed:** Final

**Time Needed on Agenda for this Presentation:** 10 minutes

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### **Background**

White Bear Fishing Access Site is located on the edge of Great Falls. The site has become an attraction for non-sporting use during summer months. The site has many secluded areas which can promote unsavory activities during summer months (June-September) such as under-age use of alcohol, illegal drug use, violent behavior, public disturbance, vandalism and litter. These activities have caused numerous disturbances with neighbors and traditional site users and require a high law enforcement presence and high demand on maintenance resources. Given the nature of the violations occurring at the site, FWP law enforcement has little to no enforcement authority without assistance from the Cascade County Sheriff. In 2014, the Cascade County Sheriff was unable to respond to some requests for assistance due to the high number of calls and other county priorities. At least two vehicle-related accidents have occurred from people leaving the site while intoxicated. One involved a fatality and the other caused serious injury to a neighbor. Neighbors have expressed concerns about their safety and security.

### **Public Involvement Process & Results**

FAS neighbors approached the Commission in September 2014 during the open-microphone session and raised concerns about their safety. FWP met with the Homeowners Association in December to explain the preferred approach with a seasonal closure. FWP proposed a seasonal closure of this FAS at the January F&W Commission meeting. The Commission proposed the seasonal closure recommended by FWP, which initiated further public processes. A thirty-day comment period began Jan. 22 and ran through Feb. 22. Thirty-one comments were received: 23 supporting the closure; six opposing; and two citing need for change without endorsing or opposing the closure.

### **Alternatives and Analysis**

Leaving the FAS open retains year-round public access to the site under current management, which, despite creative efforts, has not resulted in significant beneficial behavioral responses at this site. FWP attempted to control use patterns by eliminating access to secluded areas, implementing a night-time closure including closing gates and the parking area, providing high law enforcement presence, and posting signage indicating rules. A seasonal closure has the potential to break the pattern of undesirable activity, because it would allow FWP law enforcement staff to issue citations for trespass or violation of the closure rule at anytime during the summer months, thereby removing any incentive for these individuals to visit the site. The seasonal closure would end in September and the site would then allow waterfowl and big-game hunters to access the river in the fall and early-winter months.

### **Agency Recommendation & Rationale**

FWP asks the Commission to institute a seasonal closure from June 1 through Sept. 1, 2015, in an attempt to control use at the site. The site may be opened year-round in 2016 if information indicates the use pattern has been controlled. If a closure is in place, FWP can enforce the Commission rule.

### **Proposed Motion**

I move that the Commission propose the seasonal closure of the White Bear FAS as recommended by FWP.